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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/719,356

11/21/2003

Howard Sinkoff

7647-03222

3305

7590

10/05/2005

BRINKLEY, MCNERNEY, MORGAN, SOLOMON & TATUM LLP
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EXAMINER

CRUZ, MAGDA

ART UNIT

PAPER NUMBER

2851

DATE MAILED: 10/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/719,356

Applicant(s)

SINKOFF, HOWARD

Examiner

Magda Cruz

Art Unit

2851

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 July 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-43 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-24 is/are allowed.
- 6) ☒ Claim(s) 25-32 and 37-39 is/are rejected.
- 7) ☒ Claim(s) 33-36 and 40-43 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 November 2003 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 25, 31 and 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schudel in view of Nezu.

Schudel (US Patent Number 4,089,587) discloses:

- Regarding claim 25, a substrate (Figure 2, element 16) defining a first surface (i.e. right side of element 16); a reflective layer (Figure 2, element 20) coupled to the first surface of the substrate (i.e. right side of element 16); and a diffusion layer (Figure 2, element 18) coupled to the reflective layer (Figure 2, element 20) such that the reflective layer is positioned between the substrate (Figure 2, element 16) and the diffusion layer (Figure 2, element 18).

Schudel teaches the salient features of the present invention as explained above, except (regarding claim 25) a diffusion layer having a thickness greater than one one-thousandth of an inch (one mil); wherein at least one of the reflective layer and the diffusion layer includes a plurality of micro lenses; (regarding claim 31) a thickness of the diffusion layer being in the range of approximately two mils to approximately eight

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mils; and (regarding claim 37) a combined thickness of the substrate, the reflective layer, and the diffusion layer being in the range of approximately eight mils to twenty mils.

Nezu (US Patent Number 5,456,967) discloses a diffusion layer having a thickness greater than one one-thousandth of an inch (column 6, lines 20-22); wherein at least one of the reflective layer (Figure 1, element 2) and the diffusion layer (Figure 1, element 1) includes a plurality of micro lenses (Figure 1, element 1a); a thickness of the diffusion layer being in the range of approximately two mils to approximately eight mils (column 6, lines 27-30); and a combined thickness of the substrate, the reflective layer, and the diffusion layer (column 6, lines 25-26) being in the range of approximately eight mils to twenty mils (column 6, lines 27-28).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the diffusion layer (with the combined thickness of the substrate and reflective layer) disclosed by Nezu in substitution of the diffusion layer from Schudel's invention for the purpose scattering the light beam, thereby increasing the half-value angle.

3. Claims 26-30 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schudel in view of Nezu as applied to claims 25, 31 and 37 above, and further in view of Saiia.

Schudel (US Patent Number 4,089,587) in combination with Nezu (US Patent Number 5,456,967) teaches the salient features of the present invention as explained above, except (regarding claim 26) a reflective layer including a first plurality of micro

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lenses and the diffusion layer includes a second plurality of micro lenses; (regarding claim 27) the first plurality of micro lenses and the second plurality of micro lenses are substantially aligned; (regarding claim 28) the micro lenses are generally equally spaced apart; (regarding claim 29) the micro lenses are concave; (regarding claim 30) the micro lenses are convex; (regarding claim 32) the micro lenses are in the shape of semi-spheres.

Saiia (US Patent Number 2,968,219) discloses a reflective layer (Figure 1, element 2) including a first plurality of micro lenses (Figure 1, element 3) and the diffusion layer (Figure 1, element 5) including a second plurality of micro lenses (see the shape of element 5 on Figure 1); first plurality of micro lenses and the second plurality of micro lenses are substantially aligned (see elements 2 and 5 on Figure 2); the micro lenses are generally equally spaced apart (Figure 3, element 3); the micro lenses are concave/convex (i.e. element 3 has a concave part and a convex part); the micro lenses are in the shape of semi-spheres (column 4, lines 33-36).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the reflective and diffusion layer including a plurality of micro lenses disclosed by Saiia's invention, in substitution of the reflective and diffusion layer from Schudel's invention for the purpose of increasing the viewing angle beyond the sides of the screen and making the reflective surface of lenticular form the relative minute lenticles extending uniformly over the entire reflective surface, including an optimum angle of lateral vision without distortion of the picture.

4. Claims 38-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schudel in view of Nezu as applied to claims 25, 31 and 37 above, and further in view of Nishitani.

Schudel (US Patent Number 4,089,587) in combination with Nezu (US Patent Number 5,456,967) teaches the salient features of the present invention as explained above, except (regarding claims 38 and 39) a substrate is sufficiently flexible to enable the projection screen to be wound around a roller during periods of non-use.

Nishitani (US Patent Number 5,127,722) discloses a substrate (Figure 1a, element 3) being sufficiently flexible to enable the projection screen (Figure 1a, element 1) to be wound around a roller (Figure 1a, element 5) during periods of non-use (column 2, lines 25-39).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to utilize the substrate being sufficiently flexible to enable the projection screen to be wound around a roller during periods of non-use, like the one disclosed by Nishitani, in substitution of the substrate from Schudel's invention, for the purpose of having a large screen comprising a flat surface and easy for carrying and storing.

Allowable Subject Matter

5. Claims 1-24 are allowed.

6. Claims 33-36 and 40-43 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

7. Applicant's arguments filed on 07/20/2005 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

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9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Magda Cruz whose telephone number is (571) 272-2114. The examiner can normally be reached on Monday through Thursday 8:00-5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Nguyen can be reached on (571) 272-2258. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



William Perkey
Primary Examiner

Magda Cruz
Patent Examiner
October 3, 2005